

The Institute of Cost and Management Accountants of Bangladesh
Questions of Assignment

Operational Level: Paper R1 –Legal Environment of Business

Commercial Law

- (1) Define contract. State the essential elements of contract. "All agreements are not contracts, but all contracts are agreements". - Explain.
- (2) Define offer and acceptance. When are offer and acceptance deemed to be completed if made through post? What is meant by acceptance by conduct?
- (3) Critically discuss the essential elements of consideration. Give short answers to the followings:
 - (a) Cite two examples of cases when a contract is enforceable although there is no consideration.
 - (b) Mention two examples of exception to the rule that a stranger to the contract cannot sue upon it.
- (4) Distinguish between void agreements and voidable contracts. Give two examples of (a) Void agreement (b) Voidable agreement (c) Enforceable agreement.
- (5) What do you understand by capacity to contract? What is the effect of any agreement made by persons not qualified to contract?
- (6) State when a consent is not said to be free. What is the effect to such consent on the formation of a contract? What is meant by under influence?
- (7) Explain the meaning of contingent contract with their rules. What do you understand by performance of contract? Under what circumstances a contract need not be performed.
- (8) State the circumstance under which a contract is said to be discharged and the circumstances under which a contract can be terminated by consent of the parties.
- (9) Write short notes on (a) Quasi contract (b) Indemnity & Guarantee (c) Law of Agency (d) Test of Agency (e) Creating Agency (f) Misrepresentation and fraud by Agent etc.

Sale of Goods (Sale of goods Act- 1930)

- (10) What is a contract of sale of goods? What are the distinction between sale and agreement to sale? When does an agreement to sale become sale?
- (11) Enumerate the rules under which property in goods is transferred from the seller to the buyer
Negotiable Instruments (Negotiable Instruments Act. 1882)
- (12) What are the essential features of a negotiable Instrument? Define negotiable Instruments and give examples.
- (13) Distinguish between:

- (a) A Promissory Note and a Bill of Exchange.
 - (b) A Bill of Exchange and a cheque.
 - (c) Cheque and Promissory Notes.
- (14) State the Principal features of a Bill of Exchange and a Promissory Note.
- 15) What are the rights and liabilities of different parties to a negotiable instruments? Distinguish between dishonour and discharge of Negotiable instruments.

Carriage of goods Act. - 1815

- (16) What do you understand by a common carrier? State the rights and liabilities of a common carrier.
- (17) Distinguish between a common carrier and private carrier? Is the post office a common carrier?
- (18) What is a Charter Party? Mention the usual terms of a charter party. Distinguish between a Bill of Lading and a charter party.

Arbitration Act. (Law of Arbitration -1940)

- (19) State the essentials of an arbitration agreement. Discuss the different modes or types of arbitration.
- (20) Write notes on the power, rights and duties of an arbitration. What is the meaning of award and how it is effected?

Trade Mark Act. 1940, Patent Design Act. 1911 Copy Right Act. 2000.

- (21) Discuss shortly the salient features of the Trade Mark Act. 1940. Patent Design Act. 1911 and Copy Right Act. 2000.

The Bangladesh Labour Act. 2006.

- (22) What is labour and Industrial Law? What are the objects of Industrial Law? Discuss the historical evolution and growth of Industrial Law - 2006 (The Bangladesh Labour Act 2006).
- (23) State the meaning of the following terms and define them: i) Factory ii) Worker iii) adult iv) Prime Mover x) Manufacturing process vi) adolescent vii) child viii) young person ix) wages and Salary x) Collective Bargaining Agent.
- (24) Enumerate the provisions of the Factories Act. 1948 relating to the health workers. Briefly mention the provisions laid down relating to safety of workers under the factories Act.

- (25) What do you mean by Retirement? Discuss the provisions of compensation Act. 1923 with special reference to partial disablement.
- (26) What are the condition for a valid Retrenchment? What and the procedure of such retrenchment?
- (27) What is discharge? Discuss the salient provisions of the Employment of Labour (Standing orders) Act. 1965.
- (28) Enumerate the conditions of employment under the Employment of Labour Act. 1965. What are the classification of workers and period of probation according to this Act?
- (29) What is a Service Book? What are the Entries of such book? What are the procedure for leave according to Employment of Labour Standing Order 1965? What are the effect of unauthorized leave?
- (30) Discuss the relationship and Inter link of stoppage, layoff and retrenchment.
- (31) What are the steps and condition of a grievance petition? Discuss the difference between departmental and quasi judicial grievance produce with its exceptions.
- (32) Discuss the prohibition of employment of children and adolescent. What are the right to and liability for, payment of maternity benefit? What are the procedure regarding payment of maternity benefit.
- (33) Discuss the different provisions for maintain health, Hygiene and safety measures awarding to labour code 2006. What are the facilities available as welfare measure for workers in an establishment.
- (34) Define wages. Discuss the time for payment and what are the deductions which may be made from wages.
- (35) What are the conditions for compensation for Injury caused by accident? Discuss the Employer's liability for compensation.
- (36) How the Industrial disputes can be settled? What are the provisions of termination of Industrial disputes?
- (37) Discuss the procedure and powers of labour court in cases other then trial of offenses. When a party can appeal before a Labour Appellate Tribunal against the award, decision or judgment of a labour court?
- (38) Discuss the procedure and powers of labour court in trying offences according to the Bangladesh Labor Code 2006.